



#^{RS} 2661
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4-16-04

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	09,710,703
		Filing Date	November 10, 2000
		First Named Inventor	John Josef Hench
		Art Unit	2661
		Examiner Name	Unknown
Total Number of Pages in This Submission	8	Attorney Docket Number	6515P029

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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">Twenty-seven (27) References Cited; Postcard.</div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Sanjeet K. Dutta, Reg. No. 46,145 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	<i>Sanjeet Dutta</i>
Date	April 7, 2004

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Geneva Walls		
Signature	<i>Geneva Walls</i>	Date	April 7, 2004

Based on PTO/SB/21 (02-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wlr) 02/10/2004.
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FEE TRANSMITTAL for FY 2004

Effective 01/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

Complete if Known

Application Number	09,710,703
Filing Date	November 10, 2003
First Named Inventor	John Josef Hench
Examiner Name	Unknown
Art Unit	2661
Attorney Docket No.	6515P029

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METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☒ None
☒ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor & Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES

Total Claims - 20** = X =
Independent Claims - 3 = X =
Multiple Dependent =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple Dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$)

**or number previously paid, if greater. For Reissues, see below

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920 *	1804	920 *	Requesting publication of SIR prior to Examiner action	
1805	1,840 *	1805	1,840 *	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	1,210	2255	605	Extension for reply within fifth month	
1404	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Sanjeet K. Dutta	Registration No. (Attorney/Agent)	46,145	Telephone	(408) 947-8200
Signature	Sanjeet Dutta	Date	04/07/04		



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of:

JOHN JOSEF HENCH, ET AL.

Application No.: 09,710,703

Filed: November 10, 2000

For: **Method And Apparatus For Impairment
Diagnosis In Communication Systems**

Art Group: 2661

Examiner: Unknown

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents
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Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed for applications filed after June 30, 2003). This IDS and IDS Citation Form are being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

It is hereby stated that no item of information contained in the Information Disclosure Statement was cited in a patent office in a counterpart application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual associated with the filing or prosecution of the subject application more than three months prior to the filing of the Information Disclosure Statement.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: April 07, 2004

Sanjeev K. Dutta
Sanjeev K. Dutta, Reg. No. 46,145

12400 Wilshire Boulevard, 7th Floor
Los Angeles, CA 90025
Telephone: (408) 947-8200

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Date

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 PATENT & TRADEMARK OFFICE

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known Application Number 09,710,703 Filing Date November 10, 2000 First Named Inventor John Josef Hench Art Unit 2661 Examiner Name Unknown Attorney Docket Number 6515P029		
Sheet	1	of	3	RECEIVED APR 14 2004 Technology Center 2600	

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.†	Document Number	Publication Date or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code² (if known)			
		US-3,814,868	06-04-1974	Bradley	
		US-4,649,505	03-10-1987	Zinser, Jr. et al.	
		US-4,712,064	12-22-1987	Claessen	
		US-4,760,596	07-26-1988	Agrawal et al.	
		US-4,987,569	10-22-1991	Ling et al.	
		US-5,157,690	10-20-1992	Buttle	
		US-5,319,636	06-07-1994	Long et al.	
		US-5,329,547	07-12-1994	Ling	
		US-5,406,552	04-11-1995	Long et al.	
		US-5,548,222	08-20-1996	Jensen et al.	
		US-5,929,896	07-27-1999	Goodman et al.	
		US-5,761,614	06-02-1998	Leitch et al.	
		US-5,862,157	01-19-1999	Bessios	
		US-6,161,209	02-12-2000	Moher	
		US-6,172,970	01-09-2001	Ling et al.	
		US-6,249,762	06-19-2001	Kirsteins et al.	
		US-6,317,495	11-13-2001	Gaikwad et al.	
		US-6,377,636	04-23-2002	Paulraj et al.	
		US-6,434,233	08-13-2002	Bjarnason et al.	
		US-6,442,495	08-27-2002	Fleming-Dahl	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		EP0917314A2	05-19-1999	Dyke		
		EP0917314A3	10-10-2001	Dyke		
		WO098/52312A2	11-19-1998	Chow et al.		
		WO098/52312A3	11-19-1998	Chow et al.		

Examiner Signature		Date Considered	
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.
 †Applicant's unique citation designation number (optional). ‡See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. †Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). †For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. †Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. †Applicant is to place a check mark here if English language Translation is attached.
 Based on PTO/SB/08A (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 08/11/2003.
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Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

2

of

3

Complete if Known

Application Number

09.710.703

Filing Date

November 10, 2000

First Named Inventor	
----------------------	--

John Josef Hensch

Art Unit

2661

Examiner Name

Unknown

Attorney Docket Number

6515P029

U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

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**Examiner
Signature**

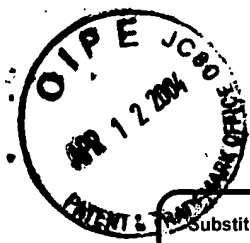
Date	
Considered	

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Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	09,710,703
				Filing Date	November 10, 2000
				First Named Inventor	John Josef Hench
				Art Unit	2661
				Examiner Name	Unknown
Sheet	3	of	3	Attorney Docket Number	6515P029

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T‡
		PETERSEN, BRENT R., et al., "Minimum Mean Square Equalization in Cyclostationary and Stationary Interference-Analysis and Subscriber Line Calculations", Student Member, IEEE Journal, Vol. 9, No. 6, August 1991, pp. 11.	
		VALENTI, CRAIG F., Bellcore, "Cable Crosstalk Parameters and Models", ANSI Contribution TIE1.4/97-302 Technical Subcommittee Working Group Members, Spectral Compatibility, Morristown, NJ 07960, USA, September 22, 1997, pp. 8.	

Examiner Signature		Date Considered	
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

†Applicant's unique citation designation number. ‡Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08B (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 08/11/2003.

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